GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:5460
ANSWERED ON:29.08.2001
UPSC
DINESH CHANDRA YADAV

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

to the reply given to USQ No. 4609 on April 18, 2001 and state:

(a) whether Civil Services Examination was conducted by the UPSC in 1999 and out to 411 candidates selected 127 belonged to OBC and that 43 candidates were selected in the open merit list;

(b) whether it is a fact that out of 43 candidates selected in the merit list, only 6 of them are taken on general merit list and the rest are put on the OBC list;

(c) if so, the reasons therefor;

(d) the number of the OBC and SC selected candidates are yet to be allocated Civil Service stating the reasons for delay in the allocation of service to these selected candidates; and

(e) the time by which the allocation of service to these candidates is likely to be made?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT OF PENSIONS AND PENSIONERS WE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE II DEPARTMENTS OF ATOMIC ENERGY AND SPACE. (SMT.VASUNDHARA RAJE)

(a),(b),(c),(d)&(e): A statement is placed on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a),(b),(c),(d)&(e) OF LOK SABHA UNSTARRED QUESTION NO. 5460 FOR 29.8. REGARDING UPSC

On the basis of Civil Services(Main) Examination(CSE), 1999, there were a total of 411 vacancies (234 Unreserved, 97 OBC, 53 SC & 27 ST) to be filled in various services/posts. In accordance with the provisions of Rule 16 of CSE Rules, the UPSC have recommended a list of 127 candidates belonging to OBC category, 63 candidates belonging to SC category & 30 candidates belonging to ST category for appointment to the various services/posts. This list included a total of 43 candidates belonging to reserved category (30 (127-97) candidates belonging to the OBC category, 10 (63-53) candidates belonging to SC category & 3 (30-27) belonging to ST category) who rank above the last general candidates recommended in the list and have qualified without availing themselves of any of the concessions/relaxations admissible to Other Backward Classes, Scheduled Castes & Scheduled Tribes (General Merit List) respectively.

2. The candidates are allocated to a service based on their merit position, preferences expressed by them and vacancies available in the relevant categories. A reserved candidate included in the general merit list of the UPSC who can be allocated to a service/post of his/her higher preference without the benefit of reservation, is not adjusted against a reserved vacancy. A candidate who has claimed the benefit of reservation, is given the benefit of such reservation and adjusted against a reserved vacancy in a service/post if he/she is allocated to the service/post of his/her higher preference, only on the basis of his/ her reserved status. This is in accordance with the ratio laid down by the Hon`ble Supreme Court in the case of Ritesh R. shah (JT 1996(2) SC 495); M. Neethi Chandra (1996 6 SCC 36) and Dr. Anil Kumar (1998 9 SCC 405).

3. Of the 43 candidates (30 belonging to the OBC category, 10 belonging to SC category & 3 belonging to ST category) recommended in the General Merit List, only 7 candidates (6 belonging to OBC category & 1 belonging to ST category) could be allocated to a service/post of their higher preference without the benefit of reservation and as such not adjusted against a reserved (i.e. OBC or ST) vacancy. As no other reserved candidate could be adjusted against unreserved vacancy this inflated the reserved list by 36 candidates (24 belonging to OBC category, 10 belonging to SC category & 2 belonging to ST category).

4. Rule 18 of the Civil Service Examination Rules provides that a candidate who has accepted the allocation to a service on the basis of an earlier examination shall be eligible to be allocated to those services/posts which were higher in the order of preference in his application form for the examination on the basis of which he had been last allocated to a service. Further, some of the candidates did not complete their medical examination and their candidature was cancelled. Therefore, 14 candidates belonging to OBC Category, 8 candidates belonging to S.C. category and 3 candidates belonging to S.T. category were not entitled to be allocated to any service.

Thus, only 10 candidates belonging to OBC category, 2 candidates belonging to S.C. category could not be allocated to any service due to non-availability of vacancy.